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Larry Brown etc.

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SPORT AND SOCIETY FOR ARETE
October 4, 2015

Larry Brown was awarded the hat trick this week by the NCAA. For the third time in his college coaching career Brown is the head basketball coach at a university whose basketball program was found to have violated NCAA regulations. The first came in the early eighties at UCLA where his program was found to be guilty of getting "improper inducements" from UCLA boosters. The second came in the late eighties at Kansas where recruiting violations and improper use of travel funds were on the list of achievements

This latest award for Coach Brown from the NCAA comes courtesy of an administrative assistant in the men's basketball office who did academic work for an SMU star player in his on-line course. During the NCAA investigation Brown was said to have lied to investigators, although Brown says that as soon as he realized that he had lied, he corrected the error. He was also quoted as having said that he did not know why he had lied. What this means is not entirely clear but it probably doesn't matter. Brown has been suspended for the first nine games of the season, and the team will be banned from post-season play. The player whose course was fraudulent will be eligible to play this season

Brown said that he understood that he was responsible for violations by people in his program, but then went on to say that SMU was being punished too harshly by the NCAA. Well, yes, that seems reasonable, if you are Larry Brown.

Brown had been away from intercollegiate athletics for a quarter century before being hired by SMU. A lot has changed in college athletics since Brown was last violating NCAA regulations. New regulations are in place and old ones still are in effect. Some ways in which these rules and regulations can be violated are entirely new, especially with all the new technologies that have saturated campus life.

It is no wonder then that SMU had a compliance officer on the campus to shadow Coach Brown. It was so easy for Brown to overlook or be unaware of regulations and so he needed monitoring. So maybe the compliance officer is the one who should be suspended and not Coach Brown. All others

involved in the violations have been fired, but not Coach Brown. That too may not matter as Brown changes jobs on an average of every three and one-half years.

Brown has taken the SMU basketball program to national prominence in short order. He has proven yet again that he is an excellent coach and recruiter. But perhaps the NBA is the place for him. There are no classes for players to take in order to play, players are drafted and not recruited, and there are no NCAA regulations that require an NBA coach to have a compliance officer on his bench.

In discussing the penalties passed out by the NCAA many different people have made the same point, namely that the only ones who really suffer from the penalties are the players who are the innocent victims of this corrupt intercollegiate system. Brown himself expressed his sympathies for the players, and many others have lamented the collateral damage done to the innocents.

If there was real concern over the damage done to the innocent players, one possible remedy would be to allow all the SMU basketball players to transfer to another institution where they would be immediately eligible to compete in intercollegiate athletics. SMU will not be doing this, nor would any other institution of Higher Learning because it could do irreparable damage to that institution. So it really isn't about all those innocents who have been wronged it's about the money as it nearly always is.

The President of SMU joined the chorus while claiming that he was proud of Coach Brown and proclaimed the SMU compliance program to be among the best in the nation. The President of SMU is a member of the Knight Commission that is "leading" the battle to reform intercollegiate athletics.

In the other NCAA news of week the U.S. Court of Appeals of the Ninth District ruled in the O'Bannon Case that the lower court had been correct in finding the NCAA in violation of anti-trust laws by limiting the amount an athlete might be paid. At the same time the court tripped over its own feet by overturning a ruling by a lower court allowing \$5000 per year in deferred compensation to athletes. The appeals court ruled that colleges only need to provide an athlete's full cost of attendance, something

that at least five conferences have previously decided to do.

The court said that college athletics should not be thought of as a minor league for the pros. The court seems to be defending the NCAA myth of amateurism, something that has long since been dead, but which no one in significant power positions wants to admit. The majority opinion contains this bizarre section on payments to athletes: "Once that line is crossed, we see no basis for returning to a rule of amateurism and no defined stopping point." So let the myths live on and amateurism continue to exist in some nether land of NCAA offices and some corner of the minds of judges.

Was this a victory for the NCAA? Maybe, maybe not. If in fact the court means what it says it could be more trouble for the NCAA down the road. If it is a violation of anti-trust law for the NCAA to limit what an athlete might be paid, could this mean that a bidding war might develop among institutions involving pay rather than just benefits, both over and under the table? This would seem a logical conclusion, but when it comes to the NCAA, intercollegiate athletics, institutions of Higher Athletics, and booster organizations, one would be foolish to look for logic.

In his dissent the chief justice of the Ninth District pointed out the obvious: "The N.C.A.A. insists that this multibillion dollar industry would be lost if the teenagers and young adults who play for these college teams earn one dollar above their cost of school attendance," he wrote. "That is a difficult argument to swallow."

On Sport and Society this is Dick Crepeau reminding you that you don't have to be a good sport to be a bad loser.

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